

App. No. : 10/010,282  
Filed : December 5, 2001

### **REMARKS**

Claims 1-43 stand rejected. Applicant has amended Claims 1, 7, 9, 10, 15, 17, 25, 29, 30, 32, 33, 34, 35, 38, 40, and 41. Thus, Claims 1-43 are pending in the application and are presented for reconsideration and further examination in view of the amendments and the following remarks.

#### **Claim Rejections under 35 U.S.C. § 112, second paragraph**

The claims were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claim set to more clearly point out and distinctly claim the subject matter which applicant regards as the invention. In view of the proposed claim amendments, Applicant submits that these rejections are overcome.

#### **Formal Drawings**

Applicant is submitting formal drawings to take the place of the informal drawings currently before the Examiner. No new matter has been added.

#### **Notice of References Cited**

Applicant notes that the copy of the IDS dated July 23, 2004 by the USPTO was not initialed next to reference EP 0 748 095. Applicant further notes that the copy of the IDS dated May 8, 2002 by the USPTO was not initialed or lined through next to the references located between U.S. Patent Nos. 5,541,911 and 5,996,011. Applicant assumes that the initials were inadvertently left off the cited references and will be added before patent issuance. If Applicant's understanding is in error, please let Applicant know.

### **CONCLUSION**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims, and that those claims are in condition for allowance. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

App. No. : 10/010,282  
Filed : December 5, 2001

The undersigned has made a good faith effort to respond to all of the noted rejections and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if an issue requires clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve any such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 3/23/05

By:   
James F. Herkenhoff  
Registration No. 51,241  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

1433745\_1  
032105